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BY ECF

May 28, 2013

The Hon. Susan Richard Nelson
United States District Court
Warren E. Burger Federal Building, Suite 774
316 North Robert Street
St. Paul, MN 55101

Re: Larry Smith as Trustee for the Heirs and Next of Kin of David Cornelius Smith v.
Timothy Gorman and Timothy Callahan and The City of Minneapolis
Our File No. 18933
Case No. 11-CV-03071 (SRN/JJK)

Dear Judge Richard Nelson:

This letter is to advise you that the parties have agreed to fully and finally settle the above-entitled matter. No decisions on the pending motions are necessary. The parties would respectfully request that you retain jurisdiction over the approval of the wrongful death distribution to the next of kin. Those papers and the dismissal will be filed as soon as possible.

Very truly yours,

s/Robert Bennett
Robert Bennett
Attorney for Plaintiff

Very truly yours,

s/Burt T. Osborne
Burt T. Osborne
Attorney for Defendants

RB/mo